



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 18.07.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.12519 of 2016

Mani

..Petitioner

Vs

1.The District Collector,
Theni District,
Theni.

2.The Village Panchayat President,
Megamalai Village,
Andipatti Taluk,
Theni District.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents from disturbing the Petitioner's bore-well and Round-well situated at S.No.860/5, Patta No.1658, situated at Megamalai Village, Andipatti Taluk, Theni District based on the Petitioner's representation dated 27.06.2016.

For Petitioner :M/s.KR.Singaravadivel

For Respondents :Mr.S.Kumar
Addl.Govt.Pleader

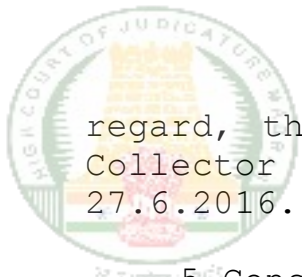
ORDER

Heard both sides.

2.By consent of both sides, the main Writ Petition itself is taken up for final disposal.

3.No counter is filed on behalf of the Respondents.

4.In view of the fact that the Petitioner in the Writ Petition affidavit at Para 6 had stated that in the year 2011, the State Government conducted the Panchayat election and he and his brother were working in favour of the Opposite Party and for that vengeance, the Second Respondent Village Panchayat President, gave trouble without any proper and valid reason and in this



regard, the Petitioner has made a representation to the District Collector and to the Village Panchayat President concerned, on 27.6.2016.

5. Considering the fact that the Petitioner has only sought for the relief of injunction forbearing the Respondents from disturbing the Petitioner's bore-well and Round-well situated at S.No.860/5, Patta No.1658, situated at Megamalai Village, Andipatti Taluk, Theni District, based on the Petitioner's representation, dated 27.06.2016, this Court in the interest of justice, Equity, Fair Play, Good Conscience and even as a matter of prudence, directs the First Respondent/The District Collector, Theni District, Theni to conduct an enquiry into the whole episode and to take such action as he deems it fit and proper and based on the facts and circumstances of the case in an encircling fashion (of course after providing necessary opportunity to the Petitioner and others concerned, if any by adhering to the principles of natural justice in true letter and spirit) within a period of six weeks from the date of receipt of a copy of this order. It is open to the Petitioner to produce copies of all necessary/relevant documents before the First Respondent and the First Respondent shall take into consideration of the same at the time of disposal of the representation of the Petitioner, dated 27.6.2016. The Petitioner is directed to lend his assistance and co-operation to the First Respondent, so as to enable him to dispose of his representation dated 27.6.2016, within the time specified by this Court.

6. With the aforesaid observations and directions, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

vsn

To

1. The District Collector, Theni District,
Theni.

2. The Village Panchayat President, Megamalai Village,
Andipatti Taluk, Theni District.

+1CC to Mr.K.R.Singaravadivel, Advocate Sr.No.37337

+1CC to Spl.Government Pleader Sr.No.37912

GJM/PEK/26.7.16-2p-5c